5/18/2015

EXHIBIT

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3
                                                                      MO: She has an accoustic bass and a
1
                                                           2
                                                              banjo. The other two items we recovered from another
2
                                                              guy that was trying to sell them yesterday and more of
3
4
                                                              the stuff coming in slowly. So, yeah, she's just in
5
          TRANSCRIPT OF RECORDING
                                                              possession of stolen merchandise.
                                                                      DISPATCH: Okay. Just stay on the phone
6
                   CD LABELED:
                                                              with me, okay? And so she's just trying to sell it back
                                                           7
7
8
                Dennison Estate
                                                           8
                                                              to you?
     130641096 7116 Menaul NE 10-31
                                                                      MO: She's just trying to sell it to us.
9
                                                           9
   1808 to 2030 APD #2670 3/18/2015
10
                                                          10
                                                              It was never ours. It belongs to someone else.
         COMPRESSED WITH 911 CALL
11
                                                          11
                                                                      DISPATCH: Okay.
12
                                                          12
                                                                      MO: But the owner reported the stuff
                                                          13
                                                              stolen to us this morning.
13
                                                                      DISPATCH: Okay. And your name?
                                                          14
14
                                                          15
                                                                      MO: Mo, M-O.
15
16
                                                          16
                                                                      DISPATCH: And you're calling from
17
                                                          17
                                                              615-7950?
                                                          18
18
                                                                      MO: That's my cell.
                                                          19
                                                                      DISPATCH: Okay. And what race is she?
19
                                                                      MO: She's Hispanic or Native. I would
                                                          20
20
                                                          21
                                                             say she's Hispanic.
21
                                                          22
                                                                      DISPATCH: About how old?
22
                                                          23
                                                                      MO: I would say she's in her 40s, maybe
23
                                                          24
                                                             early 40s.
24
                                                          25
                                                                      DISPATCH: How tall is she?
25
                                                       2
   (Track 1)
 1
                                                                      MO: Let's call it five-four, five-five.
                                                           1
 2
             DISPATCH: Albuquerque Police, Operator
                                                          2
                                                                      DISPATCH: Is she heavy, thin, medium
 3
   4440. How can I help you?
                                                          3
                                                             build?
 4
            MO: Yeah, we have -- I work at Music Go
                                                          4
                                                                      MO: Just regular. Yeah, she's not --
 5
   Round at 7116 Menaul.
                                                             she's not heavy, she's not thin.
                                                          5
 6
            DISPATCH: Okay.
                                                          6
                                                                      DISPATCH: Okay. And what color hair?
 7
            MO: And we have a lady who just walked
                                                          7
                                                                      MO: Black.
 8
   in with some gear that was reported stolen earlier to us
                                                          8
                                                                      DISPATCH: And what is she wearing?
 9
    today.
                                                          9
                                                                      MO: Looking like just a gray tank top.
            DISPATCH: Okay. Was she trying to sell
10
                                                          10
                                                                      DISPATCH: Okay.
    it back or what was she doing with it? Do you know?
11
                                                          11
                                                                      MO: Like -- yeah, like a gray tank top.
12
            MO: We're current -- she's currently
                                                         12
                                                                      DISPATCH: And what color pants?
   trying to sell it to us and it belongs to someone else.
                                                                     MO: I can't tell from here. Do you want
                                                         13
   Actually an officer was here today, Officer Bruchell, I
                                                             me to go up and look?
15
   think.
                                                         15
                                                                     DISPATCH: No, that's fine.
16
            DISPATCH: Okay. And what's the name of
                                                         16
                                                                     MO: Yeah, I can't tell on the camera.
17
   the business? I'm sorry.
                                                             She's behind a counter.
                                                         17
18
            MO: It's Music Go Round.
                                                                     DISPATCH: No problem. Was she -- did
                                                         18
19
            DISPATCH: Music Go Round? Okav.
                                                         19
                                                             she come in a vehicle, do you know?
20
            MO: And it's 7116 Menaul.
                                                         20
                                                                     MO: I do not know.
21
            DISPATCH: Okay. And she's still in the
                                                         21
                                                                     DISPATCH: Okay. Just stay on the phone
22 store?
                                                             with me, okay? We're going to get officers en route out
23
            MO: Yeah, we're playing along that we're
                                                            there. And you don't know if anybody is with her?
                                                         23
24 looking it up while you guys get here.
                                                         24
                                                                     MO: I don't know if there's anybo
25
            DISPATCH: And what does she have?
                                                                                                         PLAINTIFF'S
                                                         25 outside. The guy that came yesterday had a
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61
                                                                                                              63
1
         OFFICER: 710 to Frank 412.
                                                            deterrent at this point, because he can see those
2
         OFFICER: Go ahead, sir.
                                                            police lights. If we move it, he may try to move.
         OFFICER: Are you going to be east of
3
                                                         3
                                                                  OFFICER: 2412 is 10-4. I'm walking away.
   Chama but north of the Beauchamp Jewelry?
4
                                                                  OFFICER: 15 to 10. I'm set with the team
                                                         4
5
         OFFICER: I'm on Chama. My car is covered
                                                         5
                                                            on Chama and Menaul.
   fairly (inaudible).
6
                                                                  OFFICER: Last unit?
                                                         6
         OFFICER: You're way too low on volume.
7
                                                         7
                                                                  OFFICER: 15, and I'm 56 with my team at
   Can you 10-9, please.
8
                                                            Chama and Menaul.
9
         OFFICER: I'm on Chama across from the
                                                         9
                                                                  OFFICER: 10-4.
   target 20 deployed with a (inaudible).
10
                                                                   10 to 53. So if suspect comes out into
                                                        10
         OFFICER: 710 to 753.
11
                                                            the alleyway and runs west on the east side of
         OFFICER: 753. Go ahead.
12
                                                            Chama, would you guys be able to handle it?
         OFFICER: 53, can you guys observe the
13
                                                                  OFFICER: Yeah, that's 10-4, sir. And if
                                                        13
   field unit that's holding that position across from
                                                            he runs north on Chama from the target building,
14
   you on Chama?
                                                            we'll be able to stop him as well.
15
         DISPATCH: PD, Sam 46.
16
                                                                  OFFICER: 18 to 10.
                                                        16
         OFFICER: Sam 46.
17
                                                                  OFFICER: Go ahead for 10.
                                                        17
         DISPATCH: PD advise who has the female in
                                                                  OFFICER: I (inaudible) the rooftop at
18
                                                        18
                                                            Chili's. Can you give me a description of the
19
   custody? 701 is asking.
20
         OFFICER: Mike (inaudible) does. I'm --
                                                        20
                                                            vehicle he's between.
   my vehicle is 56 with him. He's (inaudible).
21
                                                        21
                                                                  OFFICER: Air I to that unit. When you
         OFFICER: 52, 710. We're not observing
22
                                                            get there, it's going to be pickup truck on the west
                                                            end of the lot. It's right on the southwest corner
23
   any field units.
24
         OFFICER: He's over here by the marked
                                                            of the building. It's dark colored, four door
                                                            pickup truck, facing the building. Subject is
25
  unit.
                                                     62
         OFFICER: Chama and Menaul, south side.
 1
                                                            between the truck and building in a bush.
         OFFICER: Okay. Is he going to be in our
 2
                                                         2
                                                                  OFFICER: 10-4, 18 56.
   inner perimeter, 722?
 3
                                                         3
                                                                  OFFICER: (Inaudible) 14 to 58.
         OFFICER: He's right there on the edge of
 4
                                                         4
                                                                  OFFICER: Go ahead.
   it, that's correct.
 5
                                                         5
                                                                  OFFICER: Hey, so if he runs west on
 6
         OFFICER: All right. Can I put a couple
                                                            Menaul, can you take him?
                                                         6
   of tactical officers where he's at to stop any
                                                                  OFFICER: 10-4.
 8
   movement might take?
                                                         8
                                                                  OFFICER: Air 1 to 750.
         OFFICER: I think (inaudible) just
                                                         9
                                                                  OFFICER: Go ahead.
   disengage altogether if we bolster the guy on the
                                                                  OFFICER: Okay, I see the Bearcat arrived.
                                                        10
   west side of Chama and Menaul.
11
                                                        11
                                                            It just -- heads-up, about 30 minutes of gas on this
12
         OFFICER: 10-4.
                                                            (inaudible). Then we would have to break contact,
         710 to Frank 412. Are you 10-4? Can you
13
                                                                  OFFICER: 10-4. We're putting a plan
                                                        13
   move out of there safely and back to the command
14
                                                            together to 25 him here shortly.
                                                        14
   post?
15
                                                        15
                                                                  OFFICER: 710 to field supervisor in
         OFFICER: 10-4. En route.
16
                                                            charge.
                                                        16
17
         OFFICER: 19 to 10. So you know, I'm 56
                                                                  OFFICER: Sam 46.
                                                        17
   with 23 and that team.
18
                                                                  OFFICER: Sam 47. Can I get you to send a
         OFFICER: Air 1 to CP. Are you moving
19
                                                            couple of your guys. I'm going to have media that
                                                        19
   that guy that over by the Valero?
20
                                                            is going to be in our kill zone inner perimeter, are
                                                        20
         OFFICER: 10-4. It's the unit by the
21
                                                            going to be in the alleyway behind the brown
                                                        21
   Valero.
22
                                                        22
                                                            building, which is the (inaudible) building.
23
         OFFICER: Any way we can leave that
                                                                  OFFICER: 10-4. Sam 46 (inaudible) 422.
                                                        23
   vehicle there and have him safely move out and leave
                                                        24
                                                                  OFFICER: 2412, PD. I'll take care of it.
  the vehicle there? I believe it's using as a
                                                           I know where they're at.
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65
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 1
         DISPATCH: 10-4.
                                                                  OFFICER: Go ahead for Air 1.
                                                         i
 2
         OFFICER: Thank you, sir.
                                                         2
                                                                  OFFICER: Sir, is he still oriented east
 3
         OFFICER: 2412, Sam 46. Where do you want
                                                            or west.
   them staging?
 4
                                                                  OFFICER: Yeah. Best I can tell, he has
 5
         OFFICER: Go ahead and have them stage at
                                                            not moved his position. Head still appears to be on
                                                         5
   Pennsylvania and Menaul.
 6
                                                            the east side, feet towards the west side, just
         OFFICER: 10-4.
 7
                                                            laying east and west right in front of that truck.
                                                         7
 8
         OFFICER: Where would you like the media
                                                         8
                                                                  OFFICER: 10-4.
 9
   staged?
                                                                  OFFICER: (Inaudible) PD for all tactical
                                                         9
         DISPATCH: Advise Pennsylvania and Menaul.
10
                                                            unit. The south facing (inaudible) on Menaul will
                                                        10
         OFFICER: 10-4,
11
                                                            be considered side 1. So 22, you have side 1.
                                                        U
         OFFICER: Adam 1013 to Air 1. 56 south
12
                                                                  OFFICER: 722's 10-4.
                                                        12
   side Winrock.
13
                                                        13
                                                                  OFFICER: Air I has got to break off
14
         OFFICER: All right. We've got about 30
                                                            target for a minute for aircraft.
                                                        14
   minutes left. Do you need us to establish something
                                                        15
                                                                  OFFICER: 722, CP. Hey, that's going to
   and then be ready for us. We might have to come in
16
                                                            be an AD.
                                                        16
   hot.
17
                                                                  OFFICER: 10-4, 22. (Inaudible). 22, are
                                                        17
         OFFICER: 10-4.
18
                                                        18
                                                            you able to give me a 21.
         DISPATCH: PD to 403.
19
                                                        19
                                                                  OFFICER: That's negative, sir.
20
         OFFICER: Go ahead for 403.
                                                                  OFFICER: Okay. Is everybody 10-4 on the
                                                        20
21
         DISPATCH: 10-4. PD 21 L.T. Swanson,
                                                            perimeter?
                                                        21
22
   clear to copy.
                                                                  OFFICER: 575 on the east 2-3 side, we're
                                                        22
23
         OFFICER: Go ahead,
                                                        23
                                                            10-4.
24
         DISPATCH: 228-0044.
                                                        24
                                                                  OFFICER: 3-4 corners, 10-4.
25
         OFFICER: 10-4.
                                                        25
                                                                  OFFICER: 10-4, 10 to 22. That's going
                                                    66
                                                                                                             64
          OFFICER: Air 1 to the CP. You got 43
 1
                                                            to be an AD from the suspect?
   staging at Louisiana and Menaul, northeast corner.
 2
                                                                  OFFICER: That's negative. It's going to
          OFFICER: 710 to 718.
 3
                                                            be (inaudible) -- it's going to be an AD for me. It
 4
          OFFICER: 718.
                                                            was not going to be in the direction of the suspect.
          OFFICER: Hey, do you have visual of the
                                                            He got pulled to the east.
                                                         5
 6
   individual?
                                                                  OFFICER: Down low.
                                                         6
         OFFICER: Negative. I'm up but I think
 7
                                                                  OFFICER: All right, 10-4.
                                                         7
   he's pretty tucked in that bush. I haven't caught
 8
                                                         8
                                                                  OFFICER: 750 to Air 1,
   sight of him yet.
 9
                                                         9
                                                                  OFFICER: Go ahead.
10
         OFFICER: Okay, 10-4.
                                                                  OFFICER: Your ETA to get back airbome?
                                                        10
         OFFICER: (Inaudible), PD.
11
                                                        11
                                                                  OFFICER: I'm flight north of the
         DISPATCH: Go ahead.
12
                                                            controller now, trying to get in there. It's
13
         OFFICER: (Inaudible) team (inaudible)
                                                            pulling on the runway now, so hopefully, fast.
                                                        13
14
   with the CP.
                                                                  OFFICER: 10-4. We're trying to force him
                                                        14
         DISPATCH: (inaudible) team is where?
15
                                                           into action at this point, so as quickly as you can
         OFFICER: (Inaudible).
16
                                                           get back, that will be good.
                                                        16
17
         DISPATCH: 10-4.
                                                        £7
                                                                  OFFICER: Yeah, we're trying to express
18
         OFFICER: 722 to 718.
                                                           that to them,
                                                        18
19
         OFFICER: 18.
                                                        19
                                                                 DISPATCH: PD to 720.
20
         OFFICER: Hey, I'm going to favor the east
                                                                 OFFICER: Who are you calling, PD?
                                                        20
   side of that truck if you can kind of favor that
21
                                                        21
                                                                 DISPATCH: 720.
22
   west.
                                                        22
                                                                 OFFICER: Absent. 710. What do you have?
         OFFICER: Yeah, that's 10-4. That's all I
23
                                                        23
                                                                 DISPATCH: That's 10-4, 710. Can you
   have, is the west side.
24
                                                        24 switch to -- or to call Radio Control or switch to
         OFFICER: 14 to Air 1.
25
                                                          SWAT air.
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